



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

May 15, 2014

The Honorable Daniel Maguire, Candidate
Vic Bucher, Treasurer
Committee for Judge Dan Maguire 2012

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RE: Warning Letter Re: FPPC Case No. 14/326; In the Matter of Daniel Maguire, Committee for Judge Dan Maguire 2012, and Vic Bucher, Treasurer

Dear Judge Maguire and Mr. Bucher:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act")¹, found in Government Code section 81000, et seq. This letter is in response to a referral from the Franchise Tax Board that alleged you failed to file your committee's semiannual campaign disclosure statements with Secretary of State both electronically and via a paper filing as required by the Act.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file campaign statements both electronically and via a paper filing with Secretary of State for the following periods:

- July 1, 2011 through December 31, 2011 (due January 31, 2012)
- January 1, 2012 through March 17, 2012 (due March 22, 2012)
- March 18, 2012 through May 19, 2012 (due May 24, 2012)

Additionally, a late contribution report was not filed disclosing a loan made by you to your committee.

Sections 84200, 84200.5, and 84203 of the Act provide that committees shall file semiannual statements, pre-election statements, and late contribution reports respectively. Section 84215 of the Act sets forth where committees file these campaign statements and reports. Section 84215 provides in part:

Statewide elected officers, including members of the State Board of Equalization; Members of the Legislature; Supreme Court justices, court of appeal justices, and

superior court judges; candidates for those offices and their controlled committees; committees formed or existing primarily to support or oppose these candidates, elected officers, justices and judges, or statewide measures, or the qualification of state ballot measures; and all state general purpose committees and filers not specified in subdivisions (b) to (e), inclusive, shall file a campaign statement by online or electronic means, as specified in Section 84605, and shall file the original and one copy of the campaign statement in paper format with the Secretary of State.

(Section 84215(a), emphasis added.)

Your actions violated the Act because you failed to file the aforementioned campaign statements and late contribution report by the specified deadlines in the correct location. However, since you did timely file the statements with the County of Yolo and have no prior violations, we are closing your case with this warning letter. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation. Although the FPPC is not seeking a penalty in the current matter, you will be responsible for any late filing fees assessed by your filing officer. (Section 91013.)

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter. Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.) The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Adrienne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

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Gary S. Winuk

Chief, Enforcement Division

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